



## OFFICE OF THE DISTRICT ATTORNEY

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### Travis County DA Civil Rights Unit Case Summaries - August 20, 2021

The following is a current list of each officer-involved use of force or other misconduct matter involving injury to any person currently pending in the Office's Civil Rights Unit.

#### INDICTED CASES

**INDICTED: STATE OF TEXAS VS MARCUS REED, D-1-DC-19-904028, D-1-DC-19-904030, D-1-DC-19-900065:** At the time of the incident, Mr. Reed, then a licensed peace officer, was employed as an Investigator with the Austin Fire Department. Mr. Reed was indicted and charged with the commission of Sexual Assault, Official Oppression, and Aggravated Perjury. Mr. Reed's case was tried on August 12, 2019 in the 167<sup>th</sup> District Court and the jury returned a guilty verdict on the Aggravated Perjury charge. The jury was unable to reach a verdict on the Sexual Assault and Official Oppression charges and the judge declared a mistrial on both charges. The retrial of the Sexual Assault and Official Oppression is pending in the 167<sup>th</sup> District Court.

Mr. Reed also has a pending Indecency with a Child by Sexual Contact case, which was indicted on June 7, 2019. Mr. Reed is alleged to have engaged in sexual contact with a child younger than 17 years of age.

The next court setting is September 7, 2021.

**INDICTED: STATE OF TEXAS VS NATHANIEL STALLINGS, D-1-DC-19-904051, D-1-DC-19-904052:** At the time of the incident, Mr. Stallings, then a licensed peace officer, was employed as a police officer with the Austin Police Department. On October 6, 2017, while on duty and in uniform in a fully marked Austin Police Department patrol vehicle, Mr. Stallings is alleged to have caused bodily injury to a civilian. Mr. Stallings was indicted on June 25, 2018 and charged with Assault and Abuse of Official Capacity. Both cases are pending in the 450<sup>th</sup> District Court.

This next court setting is August 28, 2021.

**INDICTED: STATE OF TEXAS VS LANDO HALL, D-1-DC-19-900105:** At the time of the incident, Mr. Hall was employed as a police officer with the Austin Police Department. On Monday, January 4, 2021, APD Officer Lando Hall was indicted for the felony offense of Misuse of Official Information, a third-degree felony under Section 39.06(b) of the Texas Penal Code by the 147<sup>th</sup> Special Grand Jury – Extended July 2020 term. The case is pending in the 403<sup>rd</sup> Judicial District Court.

The next court setting is October 06, 2021

**INDICTED: STATE OF TEXAS VS. SHANNON OWENS, D-1-DC-20-900003:** At the time of the incident, Mr. Owens was employed as a corrections officer with the Travis County Sheriff's Office. On Wednesday, December 16, 2020, TCSO Deputy Owens was indicted with Aggravated Perjury, a third-degree felony, and Tampering with Governmental Record with the intent to defraud or harm another, a state jail felony by the 147<sup>th</sup> Special Grand Jury. The case is pending in the 450<sup>th</sup> District Court.

The next court setting is September 30, 2021.

**INDICTED: STATE OF TEXAS VS. CHANCE BRETCHES, D-1-DC-20-900091:** At the time of the incident, Mr. Bretches was employed as a police officer with the Austin Police Department. On Wednesday, January 20, 2021, Officer Bretches was indicted with Aggravated Assault by a Public Servant, Serious Bodily Injury/Deadly Weapon, a first-degree felony by the extended 147<sup>th</sup> Extended Special Grand Jury. The case is pending in the 299<sup>th</sup> District Court.

The next court setting is September 23, 2021.

**INDICTED: STATE OF TEXAS VS. AUSTIN JOHNSTON, D-1-DC-19-900021:** At the time of the incident, Mr. Johnston was employed as a trooper with the Department of Public Safety. On Friday, August 21, 2020, Trooper Johnston was indicted with Aggravated Assault by Public, a first-degree felony, Deadly Conduct, third-degree felony and Tampering with Physical Evidence, third-degree felony by the 460<sup>th</sup> Extended Grand Jury. The case is pending in the 390<sup>th</sup> District Court.

The next court setting is October 04, 2021.

**INDICTED: STATE OF TEXAS VS. CHRISTOPHER TAYLOR, D-1-DC-20-900048:** At the time of the incident, Mr. Taylor was employed as an officer with the Austin Police Department. On, Wednesday, March 10, 2021, Officer Taylor was indicted with Murder, a first-degree felony by the 147<sup>th</sup> Special Grand Jury. The case is pending in the 167<sup>th</sup> District Court.

The next court setting is September 7, 2021.

**INDICTED: STATE OF TEXAS VS. JAMES JOHNSON, D-1-DC-20-900070:** At the time of the incident, Mr. Johnson was employed as a deputy with the Williamson County Sheriff's Office. On Monday, March 29, 2021, Deputy Johnson was indicted with Manslaughter, a second-degree felony by the 147<sup>th</sup> Extended Special Grand Jury. The case is pending in the 299<sup>th</sup> District Court.

The next court setting is September 23, 2021.

**INDICTED: STATE OF TEXAS VS. ZACHARY CAMDEN, D-1-DC-20-900069:** At the time of the incident, Mr. Camden was employed as a deputy with the Williamson County Sheriff's Office. On Monday, March 29, 2021, Deputy Camden was indicted with Manslaughter, a second-degree felony by the 147<sup>th</sup> Extended Special Grand Jury. The case is pending in the 299<sup>th</sup> District Court.

The next court setting is September 23, 2021.

**INDICTED: STATE OF TEXAS VS. ROBERT CHODY, D-1-DC-20-900110:** At the time of the incident, Mr. Chody was the elected Sheriff in Williamson County. On, Wednesday, March 31, 2021, Mr. Chody was indicted Tampering with Physical Evidence with Intent to Impair, a third-degree felony by the 147<sup>th</sup> Extended Special Grand Jury. The case is pending in the 299<sup>th</sup> District Court.

The next court setting is August 26, 2021.

**INDICTED: STATE OF TEXAS VS. JASSON NASSOUR, D-1-DC-20-900109:** At the time of the incident, Mr. Nassour was employed as General Counsel for the Williamson County Office. On, Wednesday, March 31, 2021, Mr. Nassour was indicted Tampering with Physical Evidence with Intent to Impair, a third-degree felony by the 147<sup>th</sup> Extended Special Grand Jury. The case is pending in the 299<sup>th</sup> District Court.

The next court setting is August 24, 2021.

***Note:** Due to COVID-19 restrictions there are currently no criminal jury trials in Travis County*

**UNINDICTED**

**DECEDENT: AQUANTIS GRIFFIN/SUBJECT OFFICERS: ALBERT MARTINEZ; CHRISTOPHER SALACKI; DANIEL MATHIS; JOSEPH CAST; JOSEPH MORAN; JUSTIN HALBACH; LEWIS HOLLAND; STEPHEN JOHNSON & WESLEY DEVRIES (Date of Incident: 08/18/2018):** Mr.

Aquantis Griffin died as a result of multiple gunshot wounds fired by Austin Police Department officers on August 18, 2018.

We expect this case will be presented to a grand jury in the early fall of 2021.

**DECEDENT: MAURIS DESILVA / SUBJECT OFFICERS: CHRISTOPHER TAYLOR, KARL KRYCIA (Date of Incident: 07/31/2019):** Mr. DeSilva died from multiple gunshot wounds fired by two Austin Police Department officers on July 31, 2019.

We expect that this case will be presented to a grand jury in early summer 2021.

**DECEDENT: ENRIQUE QUIROZ / SUBJECT OFFICERS: EDUARDO PINEDA, SPENCER HANNA, ZANE DOWDELL, LUCAS PARKER, MARK YALETCHKO and TRINITHAD GARCIA (Date of Incident: 03/21/2020):** Mr. Quiroz died while in custody of the Austin Police Department after an encounter with multiple officers on March 31, 2020.

We expect that this case will be presented to a grand jury in early fall 2021.

**COMPLAINANT: F. ZIMMERMAN (Pseudonym) / SUBJECT OFFICER: WALTER DODDS (Date of Incident: 04/18/2020):** On April 18, 2020, while responding to a service call involving Ms. Zimmerman, Mr. Dodds, then an Austin Police Department officer encountered Ms. Zimmerman and is alleged to have later returned to her residence and alleged to have sexually assaulted her.

The case is currently under investigation in a joint investigation conducted by the Travis County District Attorney's Sexual Assault Unit and the Civil Rights Unit. This case is expected to be presented to a Travis County grand jury early summer of 2021.

**COMPLAINANT: NAME WITHHELD DUE TO BEING A MINOR / SUBJECT OFFICERS: NICHOLAS GEBHART (Date of Incident: 05/30/2020):** On May 30, 2020, Complainant, a Minor, was attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos that occurred in downtown Austin and was struck with "bean bag" ammunition and "rubber bullets".

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

**COMPLAINANT: BOMANI RAY BARTON / SUBJECT OFFICER: KYU AN (Date of Incident: 05/30/2020):** On May 31, 2020, Mr. Barton, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck with "bean bag" ammunition.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

**COMPLAINANT: GEMICAH VOLTER-JONES / SUBJECT OFFICER: DERRICK LEHMAN (Date of Incident: 5/30/2020):** On May 30, 2020, Mr. Volter-Jones, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck by "bean bag" ammunition.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021

protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

**COMPLAINANT: MEREDITH WILLIAMS / SUBJECT OFFICER: JOSEPH CAST (Date of Incident: 5/30/2020):** On May 30, 2020, Ms. Williams, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck by “bean bag” ammunition.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

**COMPLAINANT: NICOLE UNDERWOOD / SUBJECT OFFICER: JOHN SIEGEL (Date of Incident: 5/30/2020):** On May 30, 2020, Mr. Underwood, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck by “bean bag” ammunition.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

**COMPLAINANT: MEREDITH DRAKE / SUBJECT OFFICER: CHANCE BRETCHES (Date of Incident: 05/31/2020):** On May 31, 2020, Mr. Drake, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck by “bean bag” ammunition. Officer Bretches was indicted on 1/20/2021 on Aggravated Assault by Public Servant on an unrelated case.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

**COMPLAINANT: ANTHONY EVANS / SUBJECT OFFICER: KYLE FELTON (Date of Incident: 05/31/2020):** On May 31, 2020, Mr. Evans, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck by “bean bag” ammunition.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

**COMPLAINANT: JUSTIN HOWELL / SUBJECT OFFICER: JEFFREY TENG (Date of Incident: 5/31/2020):** On May 31, 2020, Mr. Howell, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck by “bean bag” ammunition.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

**COMPLAINANT: SAMUEL KIRSCH / SUBJECT OFFICER: Officer Rolan Rast (Date of Incident: 5/31/2020):** On May 31, 2020, Mr. Kirsch, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck by “bean bag” ammunition.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

**COMPLAINANT: CHRISTEN WARKOCZEWSKI / SUBJECT OFFICERS: JUSTIN BERRY; ALEXANDER LOMOSTEV, TODD GIBLERTSON, STANLEY VICK, CHRISTIAN IRWIN, JEREMY FISHER & JOSHUA JACKSON (Date of Incident: 5/31/2020):** On May 31, 2020, Ms. Williams, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck by “bean bag” ammunition.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

**COMPLAINANT: DYLAN POLINSKI / SUBJECT INVOLVED OFFICERS: JAVIER RODRIGUEZ AND KAMOWA REYNOLDS (Date of Incident: 01/04/2021):** On January 4, 2021, Mr. Dylan Polinski survived an incident in which he was shot by one Austin Police Department officer and “tased” with a conducted electrical weapon, commonly known as a “TASER” during an encounter with police officers at a local hotel.

The case is currently under investigation in a joint investigation involving the Austin Police Department’s Special Investigations Unit and the Travis County District Attorney Office’s Civil Rights Unit. Our Office expects that the investigation should be concluded within a time frame that will allow the case to be presented to a grand jury in a manner consistent with our policies and in the order of its chronological occurrence not later than early winter of this year.

**DECEDENT: ALEXANDER GONZALES / SUBJECT OFFICER: LUIS SERRATO AND GABRIEL GUTIERREZ (Date of Incident: 01/05/2021):** On January 5, 2021, Mr. Alexander Gonzales died as a result of multiple gunshot wounds in an incident involving an off-duty Austin Police Department officer and another officer who was on duty, both of whom discharged their weapons striking Mr. Gonzales.

The case is currently under investigation in a joint investigation involving the Austin Police Department’s Special Investigations Unit and the Travis County District Attorney Office’s Civil Rights Unit. Our Office expects that the investigation should be concluded within a time frame that will allow the case to be presented to a grand jury in a manner consistent with our policies and in the order of its chronological occurrence not later than early winter of this year.

**DECEDENT: JORDAN WALTON/ SUBJECT OFFICERS: JEFFREY HUTCHINSON/RYAN NICHOLS (Date of Incident: 2/10/2021):** On February 10, 2021, Mr. Walton died as a result of a gunshot wound fired by an Austin Police Department officer on September 22, 2019.

The case is currently under investigation in a joint investigation involving the Austin Police Department’s Special Investigations Unit and the Travis County District Attorney Office’s Civil Rights Unit. Our Office expects that the investigation should be concluded within a time frame that will allow the case to be presented to a grand jury in a manner consistent with our policies and in the order of its chronological occurrence not later than early winter of this year.

**COMPLAINANT: GREGORIO SARMIENTO/SUBJECT OFFICERS: JON RIORDAN AND KINGLY KONG (Date of Incident: 4/9/2021):** On April 9, 2021, during the interaction with Mr. Sarmiento, Mr. Sarmiento survived a gunshot wound fired by Austin Police Department Officers. Mr. Sarmiento is charged with two counts of Attempted Capital Murder and Aggravated Assault with Deadly Weapon that arose from this incident. The investigation for Mr. Sarmiento’s charges will be led by the Office’s Trial Court Division.

The case is currently under investigation in a joint investigation involving the Austin Police Department’s Special Investigations Unit and the Travis County District Attorney Office’s Civil Rights Unit. Our Office expects that the investigation should be concluded within a time frame that will allow the case to be presented to a grand jury in a manner consistent with our policies and in the order of its chronological occurrence not later

than early winter of this year.

**COMPLAINANT: (Date of Incident: 3/12/2021):** On March 12, 2021, the civilian was arrested for an active warrant. While officers attempted to place the civilian under arrest, the civilian victim was struck by a baton and tased.

The case is currently under investigation in a joint investigation involving the Austin Police Department's Special Investigations Unit and the Travis County District Attorney Office's Civil Rights Unit. Our Office expects that the investigation should be concluded within a time frame that will allow the case to be presented to a grand jury in a manner consistent with our policies and in the order of its chronological occurrence not later than early winter of this year.

**COMPLAINANT: (Date of Incident: 11/26/2020):** On November 26, 2020, the civilian was arrested for interfering with a crime scene which was investigated by Austin Police Department. The victim was struck by the subject officer while being handcuffed.

The case is currently under investigation in a joint investigation involving the Austin Police Department's Special Investigations Unit and the Travis County District Attorney Office's Civil Rights Unit. Our Office expects that the investigation should be concluded within a time frame that will allow the case to be presented to a grand jury in a manner consistent with our policies and in the order of its chronological occurrence not later than early winter of this year.